

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
MIDDLE DISTRICT OF ALABAMA**

IN RE: **Thomas Newman**

CASE: **16-32094**

PURSUANT TO LOCAL RULE 9007-1, THIS MOTION WILL BE TAKEN UNDER ADVISEMENT BY THE COURT AND MAY BE GRANTED UNLESS A PARTY IN INTEREST FILES A RESPONSE WITHIN 21 DAYS OF THE DATE OF SERVICE. RESPONSES MUST BE SERVED UPON THE MOVING PARTY AND, IN THE MANNER DIRECTED BY LOCAL RULE 5005-1, FILED WITH THE CLERK ELECTRONICALLY OR BY U.S. MAIL ADDRESSED AS FOLLOWS: CLERK, U.S. BANKRUPTCY COURT, ONE CHURCH STREET, MONTGOMERY, AL 36104.

This pleading is being filed and noticed pursuant to M.D. Ala., LBR 9007-1 procedures for the following:
Application to Employ

APPLICATION OF TRUSTEE TO EMPLOY ATTORNEY

Comes now, **SUSAN SHIROCK DePAOLA**, Trustee of the above-styled estate, pursuant to 11 USC § 327 (e), and requests the authority to employ T. Alexander Taylor on behalf of the firm of Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor and Mark Shapiro on behalf of the Shapiro Legal Group, PLLC as attorneys for the Trustee in the above-styled bankruptcy proceeding. As grounds for said motion, the undersigned would show unto the Court the following:

1. To perform her duties as Trustee, the undersigned requires the services of attorneys to assist in the preparation of pleadings, to appear for, prosecute, defend and represent the Bankruptcy Estate in litigation.
2. The claims or causes of action to be asserted are as follows: participation in mass tort litigation.
3. The compensation of the firms is to be based upon the terms and conditions as set forth in the attached Exhibit A.
4. The firms are selected because of the attorneys' competence in the area of civil litigation.
5. The firms have previously represented the debtor in this matter and will continue to do so to the extent that the debtor may have any available exemptions. All settlement negotiations will be conducted with the Trustee and the Trustee will present whatever offer she deems appropriate to the Court. The firm will not participate in any dispute between the debtor and the Trustee with respect to the settlement of the case.
6. As of the date of this filing, the firms do not assert a claim to any fees due and owing from the debtor and is not a creditor of the Estate.
7. The Trustee believes that the appointment will be in the best interest of the Estate.

Respectfully submitted on this 1st day of March, 2018.

s/SUSAN SHIROCK DePAOLA, TRUSTEE

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Application to Employ Attorney has been delivered by ECF or mailed to the debtor's attorney and the Bankruptcy Administrator by first class mail, postage prepaid and deposited in a United States mailbox located in Montgomery, Alabama, on this 1st day of March, 2018.

s/SUSAN SHIROCK DePAOLA, TRUSTEE